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WORKING PAPER

THE DCI AND GUIDANCE AUTHORITY

Introduction: Any review of the authority of the DCI to efficiently provide collection guidance to the US foreign intelligence effort must consider extant authorizations. Presently the authority of the DCI to coordinate the foreign intelligence collection and collection guidance activities of the US is embodied principally in NSCID No. 1, dated 17 February 1972:

- . two of his major responsibilities concern planning, review, and evaluation of all intelligence activities and establishing and reconciling intelligence requirements and priorities.
- . as directed by the 5 November 1971 Presidential memorandum, the DCI shall prepare a consolidated program/budget that considers the comparative effectiveness of collection programs and the priorities of intelligence targets.

- he shall implement NSCID's by issuing DCID's to be promulgated in the command channels of the departments and agencies, for: 1) general guidance and establishment of priorities for both production and collection of foreign intelligence and; 2) establishing policy, procedures and practices for intelligence interchanges among Community organizations.
- he or his representative shall make surveys of departmental intelligence in connection with his duty to advise the NSC or to coordinate the US foreign intelligence effort.
- he shall seek the attainment of the following objectives as part of his Community responsibilities: 1) continually review the responsiveness of the US foreign intelligence effort with respect to national requirements [to improve quality and correct deficiencies].; 2) assure authoritative and responsible leadership for the Community.; 3) achieve more efficient use of Community intelligence information collection resources.; and 4) eliminate inefficient, unnecessary and outmoded activities.

In discharging the above responsibilities it is understood and occasionally explicitly stated that in implementing and conforming with approved

NSC policy, the DCI shall consult with USIB and IRAC on matters within their purview.

Issues: There are several facets to the question as to whether the DCI should have more authority in giving guidance to the various collectors of foreign intelligence in order that the collectors become more responsive to the optimum needs of the producers of intelligence throughout the U.S. Government.

- Is his authority adequate to provide the necessary guidance to the collectors controlled and financed by the Central Intelligence Agency?
- Is his authority adequate to supply guidance to other elements of the national intelligence community -- e.g., NSA, DIA.

- Is his authority adequate to give guidance to the other collectors of foreign information that do not consider themselves a part of the intelligence community -- e.g., State, Treasury, Agriculture, A.I.D.
- Is his authority adequate to give guidance to the collectors of departmental or tactical intelligence?

Related to all of the above questions except the first is the question of whether the Director should have these responsibilities.

Discussion: Guidance of Agency Assets

There is little doubt that the DCI has sufficient authority to provide guidance to Agency collection assets to meet the needs of the producers of intelligence both within the Agency and within the Intelligence Community. It is another question as to how effectively this authority has been used throughout the history of the Agency. For example, there was a long dispute within the Agency as to whether production offices could "task" the clandestine services or whether they could levy only "information requirements." Today, while there is a trend toward CIA collectors wanting more assessments by the production offices (through CGAS staffing) of the

value of various collection programs, the assessments in themselves remain sterile exercises in that they are not part of any Agency-sponsored systematic review of the cost effectiveness of the program being assessed. In the final analysis the collector largely remains the judge of whether a program should be continued or not despite the monitoring of the staff of comptrollers, PPB, or other staffs past or present.

The lack of DCI assertiveness in the field of collection assessment and control even over his own assets is in evidence in terms of the different perceptions of the role of the NIO over collection programs. Some within the Agency clearly continue to view the NIO's as agents of the DCI solely in terms of the past functions of ONE. Others see the evidence of NIO participation in Middle East reconnaissance missions and the establishment of an NIO on Special Activities as clear signs that the Director does intend to have the NIO's perform a stronger collection guidance function within the Agency and that eventually through the KIQ and KEP process this will impinge on the subject of resource allocations within the Agency.

Guidance to the Intelligence Community

Although the Schlesinger study of several years ago called for the DCI to play a greater role in monitoring the allocation of resources within the intelligence community in view of the Watergate and post-Watergate upheavals, it would be unrealistic at this juncture to expect to see any real accomplishments in this field. In the field of guidance to the collectors throughout the intelligence community, the DCI still relies on the cumbersome and unwieldy USIB Committee structure, various committees of which operate with different degrees of efficiency or inefficiency, and whatever clout the DCI can apply by moral suasion. The one new development has been the establishment of the Human Sources Committee of USIB which is an attempt to have the DCI exert more influence upon collection guidance to all human source collectors both within and outside the Intelligence Community. The fact that the strongest opposition to the establishment of an effective committee, as opposed to keeping it a do-nothing bureaucracy, has come from the DDO which highlights the problem of organizations being able to resist authority even when the foot draggers are directly subordinate to the DCI.

In the field of overhead reconnaissance the DCI is in a good position already, in terms of authority, to influence collection requirements through the highly structured COMIREX Committee and to influence hardware programs in the NRO through his Chairmanship of EXCOM. How effectively he can exert this authority depends upon the quality and depth of the staff work that needs to be done to support or combat new, duplicative, or unreasonable programs that seem always being pushed to the fore by different military departments, e.g., ocean surveillance, radar, high resolution. In this instance, it would seem that the Director does not lack authority. It would appear that the important consideration is that he have sufficiently large and competent staffs so that he can assume with confidence the authority he presently holds.

In the SIGINT arena, it would appear that authority for providing guidance or increasing the DCI authority is really a function of granting the DCI increased authority over the allocation and distribution of NSA resources. In the area of ELINT and covert SIGINT collection, the DCI has more authority because of independent CIA capabilities. In the formulation of the Consolidated Cryptologic Program, the DCI through his agents in the IC Staff and various

directorates is hand-led through various glossy briefing sessions with little opportunity to restructure or make major changes in collection programs. In a sense the DCI guidance authority is restricted to providing guidance on exploiting what NSA has collected rather than providing guidance as to what NSA should collect and how this collection should be allocated between national and departmental production requirements.

NSCID 2 assigns primary responsibility for the overt collection of political, sociological, economic and S&T information on foreign countries to the Department of State. There is no doubt, however, that most FSO's would shudder if told they were part of the Intelligence Community. There is a vast flow of overt intelligence flowing in from overseas embassies. However, the power of the DCI to assess, evaluate and redirect this reporting is extremely limited. Only recently, through the Focus Exercise, has there been an organized attempt by the DCI working through the USIB structure, to influence State reporting. Despite the real progress that has been made in getting the Focus Program underway, the numerous redrafts of letters to ambassadors that have been done, so as not to offend State Department sensitivities, testifies to the uncertain exercise of authority by the DCI. This

authority is in part the outgrowth of the illusion that State is a member of USIB when in fact it is INR, an organization that hardly plays a dominant role in the corridors of Foggy Bottom, which represents State on USIB.

Thus if the DCI's authority over State was to be increased-- better guidance could presumably be given to such collectors and they could be brought into closer contact with the Intelligence Community. The question is whether such a consolidation of authority is desirable from a viewpoint of national interest or whether it is practical from the viewpoint of the mission and functions of other governmental departments.

A Stronger DCI

Looked at in terms of the effective operation of the intelligence community, it is easy to conclude that the entire system would work better if the DCI had more real authority to guide the Intelligence Community. One major question is whether guidance can be increased without a concomitant increase in his authority on resource allocation within the community. The Schlesinger report of several years ago called for DCI involvement in tactical intelligence, presumably, requirements, collections and production.

The question is the proper degree of involvement and control. There is a tendency for those concerned with national intelligence to view departmental or tactical intelligence as wasteful, unnecessary, too repetitive, and certainly too expensive. However, as long as the U.S. must maintain a diversified military capability at home and abroad--costing billions of dollars annually--it is understandable that military commanders will want close-support intelligence assets under their control and to receive intelligence funding and resources that are independent of those assigned to the national level. It can be maintained that ultimately the control of tactical intelligence and its interface with national intelligence is a hard question that can only be solved by aggressive leadership within the DoD or an understanding between SECDEF and the DCI. Given the realities of the powerful position of the DoD, it is unreasonable to expect that granting the DCI more authority would have a significant impact on the problem. Granting him enough to have an impact would make him one of the most powerful persons in the country--something unthinkable--give the present climate--and would perhaps involve him in making policy decisions that from his perspective he is not especially qualified to make.

It is also questionable whether the DCI should be given more authority over supplying guidance to agencies outside the intelligence community. His ability to give guidance must fall short of the DCI driving the foreign policy instruments of the U.S. rather than supporting them. This comes down to the conclusion that although there are limitations to his present authority, there is probably too heavy a price to pay to give him more authority.

Conclusion:

At the risk of oversimplifying a very complex matter, strong efforts should be made to retain for the DCI those responsibilities stated in NSCID 1. With some fine tuning to clarify jurisdictional responsibilities and coordination by the DCI through the IC Staff, these Directives are sufficient for him to do his job in an open society. More authority will not be granted in the present environment and less would make the position ineffectual as the Community manager under the guidelines of the Presidential Memorandum of 5 November 1971.